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DATE FILED: <u>June 4, 2007</u>

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
HENRY E. MAZUREK and PAULA NOTARI,

Plaintiffs,

-- against --

DAVID H. BROOKS,

Defendant.

-----X
Hon. Deborah A. Batts

Civil Docket No.1:07-cv-03103
(DAB)

STIPULATION AND ORDER

DAVID H. BROOKS,

Plaintiff,

-- against --

Hon. Deborah A. Batts

Civil Docket No.1:07-cv-03527
(DAB)

HENRY E. MAZUREK, ESQ.,

Defendant.

-----X

WHEREAS, counsel for Plaintiffs Henry E. Mazurek and Paula Notari in the litigation *Mazurek, et al. v. Brooks*, Case No. 07 CV 03103 (DAB) (the “*Mazurek Litigation*”) and Defendant Henry E. Mazurek, Esq. in the litigation *Brooks v. Mazurek*, Case No. 07 CV 03527 (DAB) (the “*Brooks Litigation*”), Judd Burstein, P.C., and counsel for Defendant David H. Brooks in the *Mazurek Litigation* and Plaintiff David H. Brooks in the *Brooks Litigation*, Warner & Scheuerman, having mutually agreed to accept service of the Summons, Complaint, and Amended Complaint for the respective actions on May 1, 2007;

WHEREAS, the parties wish to extend the time to Answer, move, or otherwise respond to the operative complaints in both the *Mazurek* and *Brooks* Litigations to, and including, June 4, 2007; and

WHEREAS, the parties agree that the *Mazurek Litigation* and the *Brooks Litigation* should be consolidated for all purposes pursuant to Fed.R.Civ.P. 42.

IT IS HEREBY STIPULATED AND AGREED by and between the parties, through their respective counsel, as follows:

1. The time for Defendant DAVID H. BROOKS to answer, move, or otherwise respond to the Amended Complaint in the *Mazurek Litigation*, styled *Mazurek, et al. v. Brooks*, Case No. 07 CV 03103 (DAB), hereby is extended to and including June 4, 2007.

2. The time for Defendant HENRY E. MAZUREK, ESQ. to answer, move, or otherwise respond to the Complaint in the *Brooks Litigation*, styled *Brooks v. Mazurek*, Case No. 07 CV 03527 (DAB), hereby is extended to and including June 4, 2007.

3. The *Mazurek Litigation* and the *Brooks Litigation* are hereby consolidated for all purposes pursuant to Fed.R.Civ.P. 42.

4. For purposes of this stipulation, signatures transmitted by facsimile or electronically shall be deemed originals.

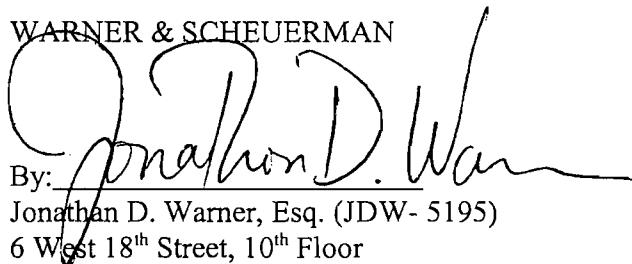
Dated: New York, New York
May 21, 2007

JUDD BURSTEIN, P.C.

By: 

Peter B. Schalk (PBS-8257)
1790 Broadway, Suite 1501
New York, New York 10019
Phone: (212) 974-2400
Fax: (212) 974-2944
pschalk@burlaw.com
Attorneys for Plaintiffs Henry E. Mazurek and Paula Notari and Defendant Henry E. Mazurek, Esq.

WARNER & SCHEUERMAN

By: 

Jonathan D. Warner, Esq. (JDW- 5195)
6 West 18th Street, 10th Floor
New York, NY 10011
Phone: 212-924-7111
Fax: 212-924-6111
jdwarner@warnerandscheurman.com
Attorneys for Defendant David H. Brooks and Plaintiff David H. Brooks

SO ORDERED:

ENTER: 

Hon. Deborah A. Batts 5/23/07